

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL 355
Judiciary Committee Substitute Adopted 4/29/25
Pensions and Retirement and Aging Committee Substitute Adopted 4/30/25
House Committee Substitute Favorable 5/13/26
PROPOSED HOUSE COMMITTEE SUBSTITUTE S355-PCS15483-SAp-39

Short Title: Support the Dept. of Adult Correction.-AB

(Public)

Sponsors:

Referred to:

March 24, 2025

1 A BILL TO BE ENTITLED
2 AN ACT TO SUPPORT THE WORK OF THE DEPARTMENT OF ADULT CORRECTION.
3 The General Assembly of North Carolina enacts:

4
5 **PART I. COMMUNITY SUPERVISION**

6
7 **WAIVE TUITION FOR SURVIVORS OF FALLEN PROBATION OFFICERS**

8 **SECTION 1.1.(a)** G.S. 115B-1 reads as rewritten:

9 **"§ 115B-1. Definitions.**

10 The following definitions apply in this Chapter:

11 ...

12 (4) Permanently and totally disabled as a direct result of a traumatic injury
13 sustained in the line of duty. – A person: (i) who as a law enforcement officer,
14 correctional officer, probation officer, firefighter, volunteer firefighter, or
15 rescue squad worker suffered a disabling injury while in active service or
16 training for active service, (ii) who at the time of active service or training was
17 a North Carolina resident, and (iii) who has been determined to be
18 permanently and totally disabled for compensation purposes by the North
19 Carolina Industrial Commission.

20 (4c) Probation officer. – An employee of an employer who is certified as a
21 probation officer under the provisions of Article 1 of Chapter 17C of the
22 General Statutes.

23 ...

24 (6) Survivor. – Any person whose parent, legal guardian, legal custodian, or
25 spouse: (i) was a law enforcement officer, a correctional officer, a probation
26 officer, a firefighter, a volunteer firefighter, or a rescue squad worker, (ii) was
27 killed while in active service or training for active service or died as a result
28 of a service-connected disability, and (iii) at the time of active service or
29 training was a North Carolina resident. The term does not include the widow
30 or widower of a law enforcement officer, correctional officer, probation
31 officer, firefighter, volunteer firefighter, or a rescue squad worker if the
32 widow or widower has remarried.

33"



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1 **SECTION 1.1.(b)** G.S. 115B-2(a) reads as rewritten:

2 "(a) The constituent institutions of The University of North Carolina and the community
3 colleges as defined in G.S. 115D-2(2) shall permit the following persons to attend classes for
4 credit or noncredit purposes without the required payment of tuition:

5 ...

6 (2) Any person who is the survivor of a law enforcement officer, correctional
7 officer, probation officer, firefighter, volunteer firefighter, or rescue squad
8 worker killed as a direct result of a traumatic injury sustained in the line of
9 duty.

10 (3) The spouse of a law enforcement officer, correctional officer, probation
11 officer, firefighter, volunteer firefighter, or rescue squad worker who is
12 permanently and totally disabled as a direct result of a traumatic injury
13 sustained in the line of duty.

14 (4) Any child, if the child is at least 17 years old but not yet 24 years old, whose
15 parent, legal guardian, or legal custodian is a law enforcement officer,
16 correctional officer, probation officer, firefighter, volunteer firefighter, or
17 rescue squad worker who is permanently and totally disabled as a direct result
18 of a traumatic injury sustained in the line of duty. However, a child's eligibility
19 for a waiver of tuition under this Chapter shall not exceed: (i) 54 months, if
20 the child is seeking a baccalaureate degree, or (ii) if the child is not seeking a
21 baccalaureate degree, the number of months required to complete the
22 educational program to which the child is applying.

23 "

24 **SECTION 1.1.(c)** G.S. 115B-5(b) reads as rewritten:

25 "(b) The officials of the institutions charged with administration of this Chapter shall
26 require the following proof to insure that a person applying to the institution and who requests a
27 tuition waiver under G.S. 115B-2(a)(2), (3), or (4) is eligible for the benefits provided by this
28 Chapter.

29 ...

30 (3) The cause of death of the law enforcement officer, correctional officer,
31 probation officer, firefighter, volunteer firefighter, or rescue squad worker
32 shall be verified by certification from the records of the Department of State
33 Treasurer, the appropriate city or county law enforcement agency that
34 employed the deceased, the administrative agency for the fire department or
35 fire protection district recognized for funding under the Department of State
36 Auditor, or the administrative agency having jurisdiction over any paid
37 firefighters of all counties and cities.

38 "

39 **SECTION 1.1.(d)** This section is effective when it becomes law and applies to
40 waivers of tuition granted on or after that date.

41
42 **MODIFY TECHNICAL REQUIREMENTS FOR ELECTRONIC**
43 **MONITORING/SATELLITE-BASED MONITORING**

44 **SECTION 1.2.(a)** G.S. 15A-101.1 reads as rewritten:

45 "**§ 15A-101.1. Electronic technology in criminal process and procedure.**

46 As used in this Chapter, in Chapter 7A of the General Statutes, in Chapter 15 of the General
47 Statutes, and in all other provisions of the General Statutes that deal with criminal process or
48 ~~procedure~~:procedure, the following definitions shall apply:

49 (1) ~~"Attach" or "attached" means, when~~ Attach or attached. – When referring to
50 documents existing in paper form, physical attachment by staples, clips, or
51 other mechanical means, or managed such that neither document is stored or

1 delivered without the other. When referring to documents stored in electronic
2 form, the term means either storage as a single digital file or storage in a
3 manner that a user interface for access to the documents displays clearly the
4 logical association between them, to the exclusion of other, unassociated
5 documents displayed with them. When referring to documents delivered in
6 electronic form, the term means documents delivered simultaneously and via
7 the same mechanism or medium, including, but not limited to, any of the
8 following: (i) delivery via a single email message, (ii) delivery on a single unit
9 of removable electronic media, or (iii) delivery in immediate,
10 contemporaneous sequence with one another from the same source to the same
11 recipient. It is not necessary that the relationship between documents appear
12 on the face of the documents in order to be deemed attached.

13 (1a) ~~"Copy" means all Copy.~~ – All identical versions of a document created or
14 existing in paper or electronic form, including the original and all other
15 identical versions of the document. Except where otherwise expressly
16 provided by law or when authority is vested only in a certified copy, a copy
17 of a document is equally authoritative as the original.

18 (2) ~~"Document" means any Document.~~ – Any pleading, criminal process,
19 subpoena, complaint, motion, application, notice, affidavit, commission,
20 waiver, consent, dismissal, order, judgment, or other writing intended in a
21 criminal or contempt proceeding to authorize or require an action, to record a
22 decision or to communicate or record information. A document may be
23 created and exist in paper form or in electronic form or in both forms. Each
24 document shall contain the legible, printed name of the person who signed the
25 document.

26 (3) ~~"Electronic" means relating Electronic.~~ – Relating to technology having
27 electrical, digital, magnetic, wireless, optical, electromagnetic, Internet, or
28 similar capabilities.

29 (3a) ~~"Electronic monitoring" or "electronically monitor" or "satellite-based
30 monitoring" means monitoring Electronic monitoring or electronically
31 monitor or satellite-based monitoring.~~ – Monitoring with an electronic
32 monitoring device that is not removed from a person's body, that is utilized by
33 the supervising agency in conjunction with a Web-based computer system that
34 actively monitors, identifies, tracks, and records a person's location at least
35 once every minute 24 hours a day, ~~that has a battery life of at least 48 hours
36 without being recharged,~~ that timely records and reports or records the
37 person's presence near or within a crime scene or prohibited area or the
38 person's departure from a specified geographic location, and that has
39 incorporated into the software the ability to automatically compare crime
40 scene data with locations of all persons being electronically monitored so as
41 to provide any correlation daily or in real time. In areas of the State where lack
42 of cellular coverage requires the use of an alternative device, the supervising
43 agency shall use an alternative device that works in concert with the software
44 and records location and tracking data for later download and crime scene
45 comparison.

46 (4) ~~"Electronic Repository" means an Electronic repository.~~ – An automated
47 electronic repository for criminal process created and maintained pursuant to
48 G.S. 15A-301.1.

49 ...

- 1 (6) ~~"Entered" means signed~~ Entered. – Signed and filed in the office of the clerk
 2 of superior court of the county in which the document is to be entered. A
 3 document may be entered in either paper form or electronic form.
- 4 (7) ~~"Filing" or "filed" means:~~ Filing or filed. –
 5 ...
- 6 (8) ~~"Issued" applies~~ Issued. – Applies to documents in either paper form or
 7 electronic form. A document that is first created in paper form is issued when
 8 it is signed. A document that is first created in electronic form is issued when
 9 it is signed and filed in the office of the clerk of superior court of the county
 10 for which it is to be issued.
- 11 (9) ~~"Original" means:~~ Original. –
 12 ...
- 13 (10) ~~"Signature" means any~~ Signature. – Any symbol, including, but not limited to,
 14 the name of an individual, which is executed by that individual, personally or
 15 through an authorized agent, with the intent to authenticate or to effect the
 16 issuance or entry of a document. A document may be signed by the use of any
 17 manual, ~~mechanical~~ mechanical, or electronic means that causes the
 18 individual's signature to appear in or on the document. Any party challenging
 19 the validity of a signature shall have the burden of pleading, producing
 20 evidence, and proving that the signature was not the act of the person whose
 21 signature it appears to be."

22 **SECTION 1.2.(b)** This section is effective when it becomes law and applies to an
 23 electronic monitoring device used on or after that date.

24 **MODIFICATION OF POST-RELEASE SUPERVISION REQUIREMENTS**

25 **SECTION 1.3.(a)** G.S. 143B-1491(d) reads as rewritten:

26 "(d) The granting, denying, revoking, or rescinding of parole, the authorization of
 27 work-release privileges to a prisoner, or any other matters of business coming before the
 28 Commission for consideration and action shall be decided by majority vote of the full
 29 Commission, except that a three-member panel of the Commission may ~~set the terms and~~
 30 ~~conditions for a post-release supervisee under G.S. 15A-1368.4 and may decide questions of~~
 31 ~~violations thereunder, violations, including the issuance of warrants, warrants, and may decide~~
 32 ~~questions of parole under G.S. 20-179(p). Any single member of the Commission may set and~~
 33 ~~modify the terms and conditions for a post-release supervisee under G.S. 15A-1368.4, may~~
 34 ~~authorize the issuance of a letter of reprimand, and may continue an offender's supervision. In~~
 35 ~~the event of a tie in a vote by the full Commission, the chair shall break the tie with an additional~~
 36 ~~vote."~~

37
 38 **SECTION 1.3.(b)** This section is effective when it becomes law and applies to
 39 actions taken by the Commission on or after that date.

40 **PART II. INSTITUTIONS**

41 **SEXUALLY VIOLENT PREDATOR DETERMINATIONS**

42 **SECTION 2.1.(a)** G.S. 14-208.20(b) reads as rewritten:

43 "(b) Prior to sentencing a person as a sexually violent predator, the court shall order a
 44 presentence investigation in accordance with G.S. 15A-1332(c). However, the study of the
 45 defendant and whether the defendant is a sexually violent predator shall be conducted by a board
 46 of experts selected by the Division of Prisons of the Department of Adult Correction. The board
 47 of experts shall be composed of at least four people. Two of the board members shall be experts
 48 in the field of the behavior and treatment of sexual offenders, one of whom shall be selected from
 49 a panel of experts in those fields provided by the North Carolina Medical Society and not be
 50
 51

1 employed full-time with the Division of Prisons of the Department of Adult Correction or
2 employed on a full-time basis with any other State agency. One of the board members shall be a
3 victims' rights advocate, and one of the board members shall be a representative of law
4 enforcement agencies."

5 **SECTION 2.1.(b)** This section becomes effective December 1, 2026, and applies to
6 boards of experts selected on or after that date.

8 **INCREASE LIMIT ON PURCHASES FROM CORRECTION ENTERPRISES**

9 **SECTION 2.2.** G.S. 148-132 reads as rewritten:

10 **"§ 148-132. Distribution of products and services.**

11 The Division of Correction Enterprises of the Department of Adult Correction is empowered
12 and authorized to market and sell products and services produced by Correction Enterprises to
13 any of the following entities:

14 ...

- 15 (5) Any current employee or retiree of the State of North Carolina, member,
16 employee, or retiree of the North Carolina National Guard, or of a unit of local
17 government of this State, verified through federal or State-issued
18 identification, or through proof of retirement status, but purchases by a State
19 employee or retiree, National Guard member, employee, or retiree, or local
20 governmental employee or retiree may not exceed ~~two thousand five hundred~~
21 ~~dollars (\$2,500)~~ four thousand dollars (\$4,000) during any calendar year.
22 Products purchased by State employees or retirees, National Guard members,
23 employees or retirees, and local governmental employees and retirees under
24 this section may not be resold.

25"

27 **PART III. SUPPORT SERVICES**

29 **USE OF AVAILABLE FUNDS FOR REPAIR AND RENOVATION PURPOSES**

30 **SECTION 3.1.(a)** G.S. 143C-8-13 is amended by adding a new subsection to read:

31 "(e) Notwithstanding any provision of G.S. 143C-8-7 to the contrary, the Secretary of the
32 Department of Adult Correction may pay for projects for repairs and renovations with funds
33 available to the agency according to the following requirements:

- 34 (1) The project meets all of the following requirements:
35 a. The total project costs do not exceed one million dollars (\$1,000,000).
36 b. The project is one of the types set forth in subdivisions (1) through
37 (13) of subsection (a) of this section, regardless of whether the relevant
38 facilities and related infrastructure are supported from the General
39 Fund or the State Capital and Infrastructure Fund.
40 (2) The Department reports on projects undertaken pursuant to this subsection to
41 the Fiscal Research Division on a quarterly basis. The report shall include all
42 of the following information for each project:
43 a. The facility at which the project is being undertaken.
44 b. The nature and scope of the project.
45 c. The source of funds for the project.
46 d. The category of projects set forth in subsection (a) of this section that
47 the project falls within.
48 (3) Any funds from a General Fund appropriation that are contractually obligated
49 for a project pursuant to this subsection shall not revert at the end of the fiscal
50 year but shall remain available to fund the completion of the project."

1 **SECTION 3.1.(b)** This section is effective when it becomes law and applies to
2 payments for projects for repairs and renovations occurring on or after that date.

3
4 **PART IV. OFFICE OF STAFF DEVELOPMENT AND TRAINING (OSDT)**

5
6 **VESTED PROBATION AND PAROLE OFFICERS MAINTAIN ELIGIBILITY FOR**
7 **SUPPLEMENTAL RETIREMENT WHEN SERVING IN CERTAIN ROLES**

8 **SECTION 4.1.(a)** G.S. 135-1(17a) reads as rewritten:

9 "(17a) "Probation/Parole Officer" shall mean a full-time paid employee of the
10 Division of Community Supervision and Reentry of the Department of Adult
11 Correction whose duties include supervising, evaluating, or otherwise
12 instructing offenders who have been placed on probation, parole, or
13 post-release supervision or have been assigned to any other community-based
14 program operated by the Division of Community Supervision and
15 Reentry.Reentry, or a full-time paid employee of the Department of Adult
16 Correction's Office of Staff Development and Training who is certified as a
17 Probation/Parole Officer and works exclusively in a training role."

18 **SECTION 4.1.(b)** This section is effective when it becomes law and applies to
19 determinations under Article 1 of Chapter 135 of the General Statutes made on or after that date.

20
21 **PART V. REDUCE MEETING REQUIREMENT OF STATE REENTRY COUNCIL**
22 **COLLABORATIVE**

23 **SECTION 5.1.** G.S. 143B-1484(b) reads as rewritten:

24 "(b) The Secretary, or the Secretary's designee, shall chair the SRCC which shall meet at
25 least ~~quarterly~~annually upon the call of the chair. The SRCC shall study the needs of
26 ex-offenders who have been recently released from a correctional institution and to increase the
27 effectiveness of local reentry councils."

28
29 **PART VI. TECHNICAL CORRECTIONS**

30
31 **POST-RELEASE SUPERVISION ELIGIBILITY AND PROCEDURE**

32 **SECTION 6.1.(a)** G.S. 15A-1368.2(c1) reads as rewritten:

33 "(c1) Notwithstanding subsection (c) of this section, a person required to submit to
34 satellite-based monitoring pursuant to G.S. 15A-1368.4(b1)(6) shall continue to participate in
35 satellite-based monitoring beyond the period of post-release supervision until the ~~Commission~~
36 superior court in the county where the conviction occurred releases the person from that
37 requirement pursuant to G.S. 14-208.43."

38 **SECTION 6.1.(b)** This section is effective when it becomes law and applies to
39 satellite-based monitoring releases ordered on or after that date.

40
41 **EXCLUDE DEPARTMENT OF ADULT CORRECTION INVESTIGATIONS FROM**
42 **CERTAIN INFORMATION TECHNOLOGY RESTRICTIONS**

43 **SECTION 6.2.(a)** G.S. 143-805(d) reads as rewritten:

44 "(d) Subsections (a) and (b) of this section shall not apply to an official or employee that
45 is engaged in any of the following activities in the course of that official's or employee's official
46 duties:

47 ...

48 (8) Investigating matters involving offenders incarcerated with, or otherwise
49 under the supervision of, the Department of Adult Correction or matters
50 related to the misuse of devices owned by the Department of Adult
51 Correction."

1 SECTION 6.2.(b) This section is effective when it becomes law and applies to
2 investigations occurring before, on, or after that date.

3
4 **CLARIFY PROBATION AND PAROLE RECORDS ACCESS FOR CHEROKEE AND**
5 **CATAWBA MARSHALS SERVICES**

6 SECTION 6.3. G.S. 1E-20 reads as rewritten:
7 "§ 1E-20. Cherokee and Catawba Marshals Services.

8 ...
9 (c) Notwithstanding any other provision of law, marshals of the Cherokee Marshals
10 Service shall have access to all probation and parole records of the North Carolina Department
11 of ~~Public Safety~~ Adult Correction to the same extent as a probation or post-release supervision
12 officer of the Department for any person over which the Cherokee Tribal Courts have jurisdiction
13 to proceed in a criminal case and impose a sentence, including a fine, community service, or
14 imprisonment. The Department may enter into a memorandum of understanding addressing the
15 specifics of transferring information to the Cherokee Tribal Courts.

16 ...
17 (f) Notwithstanding any other provision of law, Marshals of the Catawba Indian Nation
18 shall have access to all probation and parole records of the North Carolina Department of ~~Public~~
19 ~~Safety~~ Adult Correction to the same extent as a probation or post-release supervision officer of
20 the Department for any person with the Catawba Nation Tribal Courts have jurisdiction to
21 proceed in a criminal case and impose a sentence, including a fine, community service, or
22 imprisonment. The Department may enter into a memorandum of understanding addressing the
23 specifics of transferring information to the Catawba Nation Tribal Courts."

24
25 **PART VII. SEVERABILITY AND EFFECTIVE DATE**

26
27 **SEVERABILITY CLAUSE**

28 SECTION 7.1. If any part, section, or provision of this act is declared
29 unconstitutional or invalid by the courts, it does not affect the validity of this act as a whole or
30 any part other than the part declared to be unconstitutional or invalid.

31
32 **EFFECTIVE DATE**

33 SECTION 7.2. Except as otherwise provided, this act is effective when it becomes
34 law.